



April 3, 2007

Ex Parte Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

*Re: Amendment of the Commission's Part 90 Rules in
the 904-909.75 and 919.75-928 MHz Bands, WT
Docket 06-49*

Dear Ms. Dortch:

On April 2, 2007, Carson Agnew, Mark McDowell, Janice Obuchowski and Ron Olexa, all representing Progeny LMS, LLC ("Progeny"), and Dr. Raj Singh of Telcom Ventures, met with Fred Campbell, Chief of the Wireless Telecommunications Bureau, Julius Knapp, Chief of the Office of Engineering and Technology ("OET"), and Karen Rackley and Geraldine Matise of OET to discuss Progeny's position in the above-captioned proceeding, as previously expressed in comments and reply comments.

We discussed Progeny's proposals, outlined in the attachment to this letter, for rule changes that would offer protection to Part 15 users in the band while allowing the adoption of flexible service rules. Several key points made during the discussion were:

ADVANCED IDEAS
IN COMMUNICATIONS

1317 F Street, N.W.
4th Floor
Washington, D.C. 20004
(202) 371-2220
Fax (202) 371-1497

1. Power spectral density (PSD) provides a technology-neutral, uniform and consistent basis for characterizing the interference environment, regardless of channel bandwidth or modulation. Moreover, reducing the power limit would not reduce the interference to Part 15 devices because the number of Multilateration Location and Monitoring Service (“M-LMS”) base stations would increase by an offsetting amount.
2. Progeny plans to use a broadband carrier and adaptive, closed-loop power control at its base stations and customer premise equipment (CPE) to reduce average PSD to the minimum required to maintain communications, thereby minimizing potential interference to Part 15 devices.
3. Under Progeny’s proposal, M-LMS terminal devices (CPE) will operate at the same power level and PSD as Part 15 devices, except in emergency situations or when actually performing a multilateration pursuant to the existing rules. These two proposed exceptions will enable operation deep inside a building but will leave part of the broadband carrier unoccupied because Progeny’s Enhanced Position Location (EPL) technology utilizes only a small fraction of the carrier bandwidth, but at a higher power.
4. When a new base station is deployed, Progeny proposes a coordination trigger that, if necessary, will reduce PSD to the level of a Part 15 device. Progeny proposes the PSD limit, coupled with coordination, in lieu of the existing power limit. The coordination trigger is such that a Part 15 device will receive no more PSD from an M-LMS transmitter than it would from another Part 15 transmitter in approximately the same location. Progeny believes that if the Commission were to adopt a more stringent standard for base stations, then a reciprocal protection should be afforded to M-LMS base stations from any new Part 15 devices.
5. The issues addressed by Progeny’s proposals were all described in the Commission’s March 7, 2006 Notice of Proposed Rulemaking (NPRM) in the above-captioned proceeding.

In accordance with Section 1.1206(b) of the Commission's Rules, please accept the original and one copy of this filing and the attached handout for submission. Should you have any questions or concerns in connection with this submission, please contact me at (202) 371-2800.

Sincerely,

A handwritten signature in cursive script, reading "Janice Obuchowski". The signature is written in black ink on a light-colored background.

Janice Obuchowski

Attachment

cc: Fred Campbell
Julius Knapp
Geraldine Matise
Karen Rackley